

In 2014, the Cuban government continued to suppress dissent, including harassing, intimidating, and detaining independent journalists. At the same time, the country eased some restrictions on expression, allowing previously taboo topics to be aired in the national media and certain opposition voices to be more widely heard.

## **Legal Environment**

Cuba has the most restrictive laws on freedom of expression and the press in the Americas. The constitution prohibits private ownership of media outlets and allows free speech and journalism only if they “conform to the aims of a socialist society.” Article 91 of the penal code prescribes lengthy prison sentences or death for those who act against “the independence or the territorial integrity of the state,” and Law 88 for the Protection of Cuba’s National Independence and Economy imposes up to 20 years in prison for acts “aimed at subverting the internal order of the nation and destroying its political, economic, and social system.” Cuba’s legal and institutional structures are firmly under the control of the executive branch. Laws criminalizing “enemy propaganda” and the dissemination of “unauthorized news” are used to restrict freedom of speech under the guise of protecting state security. Insult laws can carry penalties of three months to one year in prison, with sentences of up to three years if the president or members of the Council of State or National Assembly are the objects of criticism. The 1997 Law of National Dignity targets independent news agencies that send their material abroad by authorizing prison sentences of 3 to 10 years for anyone who, in a direct or indirect form, “collaborates with the enemy’s media.”

In recent years the government has undertaken a number of small gestures that indicate potential for a narrow media opening. In January 2013, the country removed exit visa requirements for citizens traveling abroad. Since then, several prominent Cuban opposition journalists and bloggers have traveled out of the country—most notably Yoani Sánchez, who has made multiple trips abroad. Nevertheless, passports are still issued at the government’s discretion and have been withheld from select journalists for state-defined “reasons of public interest.” In particular, journalists who formerly served jail time for antigovernment activities have been denied the right to exit Cuba. Further, some journalists who have traveled abroad, including Roberto de Jesús Guerra, founder and director of independent news agency Hablemos Press, have complained of harassment and confiscation of documents upon their return.

## **Political Environment**

For years, independent or critical Cuban journalists and bloggers have suffered harassment for their reporting on topics deemed sensitive by the government. Such harassment has taken the form of arbitrary short-term detentions, beatings, threats against journalists and their family members, internal deportations, house arrest, “public repudiations,” and demotions. Government attempts to silence dissidents intensified in 2014, particularly during events that drew international attention to the island. In late January, more than three dozen journalists and opposition activists were preemptively detained prior to the Community of Latin American and Caribbean States (CELAC) Summit, held in Havana. During the summit, cell phone service was blocked for activists trying to report events surrounding the meeting to the outside world. In December, following the announcement that the United States and Cuba would reestablish diplomatic relations after

nearly 54 years, the government again cracked down on dissidents, with detentions and house arrests of opposition journalists including Reinaldo Escobar, the editor in chief of the news website 14ymedio.com and the husband of Yoani Sánchez.

In April, independent journalist Juliet Michelena Díaz of the Cuban Network of Community Journalists (RCCC) was taken into custody after photographing an operation of the Havana police. She was originally charged with “threatening a neighbor,” but the charges were elevated to *atentado* (terrorism) following the publication of her photographs and an accompanying report. In November, a judge declared Michelena innocent of all charges and she was released, having served six months in jail. In September, another independent journalist and former political prisoner, Bernardo Arévalo of the publication *El Cubano Libre, de Hoy* was twice detained by police and told to leave the country or face prison time. Many journalists from the independent news agency Hablemos Press also continued to be subject to harassment in the form of short-term detentions. The organization’s founder and director, Roberto de Jesús Guerra, was briefly detained in April; in June he was attacked by unknown assailants who appeared to have ties to the Cuban Department of State Security.

At the end of 2014, three journalists were serving prison sentences in Cuba. In March, independent opposition journalist Yoeni de Jesús Guerra García of the Yayabo Press agency, detained since October 2013, was sentenced to seven years in prison on charges of illegally slaughtering cattle—charges he claims were fabricated due to his reporting. Two journalists sentenced to prison in previous years also remained incarcerated: José Antonio Torres and Ángel Santiesteban Prats. Torres, a former correspondent for *Granma*, has been detained since 2011 and was sentenced in July 2012 to 14 years in prison for espionage after he published a 2010 article denouncing irregularities in the management of an aqueduct project in Santiago de Cuba and a 2011 article critiquing the instillation of fiber-optic cable between Cuba and Venezuela. Santiesteban, a writer and blogger, began serving a five-year prison sentence in 2013 for assault and trespassing. He alleged that the charges were fabricated by the authorities in retribution for his blog, *Los Hijos Que Nadie Quiso* (*The Children Nobody Wanted*), which was critical of the government. Both Guerra and Santiesteban say they have been tortured in prison.

## Economic Environment

The government owns virtually all traditional media except for a number of underground newsletters. It operates three national newspapers, five national television stations, six national radio stations, and one international radio station, in addition to numerous local print and broadcast outlets. All content is determined by the government. In October 2013, new editors who were considered less hardline were assigned to head the country’s two major newspapers, *Granma* and *Juventud Rebelde* (the paper of the Communist Party’s youth wing), as part of the Cuban government’s self-described process of promoting generational renewal to modernize the country’s newspapers and to reduce censorship and secrecy in the national media. Press reporting has shown itself to be more critical of problems in the country, though outright criticism of the government or political system is not seen. Reporting on foreign events is filtered through the lens of the Cuban government’s foreign policy objectives, with events in countries such as Russia, Syria, or Venezuela receiving sympathetic coverage in Cuban state media. In January 2013, the government permitted the broadcasting of Venezuelan news channel Telesur on the island. While the channel does not criticize the Cuban government, it does give viewers a look into the outside world. Cubans do not have the right to possess or distribute foreign publications, although some international papers are sold in tourist hotels. Private ownership of electronic media is also prohibited. A number of

publications associated with the Roman Catholic Church are occasionally critical of the government and have emerged as key players in debates over the country's future, including *Espacio Laical*, *Palabra Nueva*, and *Convivencia*.

Cuba has one of the lowest internet connectivity rates in the world. The majority of users can reach only a closely monitored Cuban intranet consisting of e-mail addresses ending in ".cu" and a few government-controlled and approved websites. The penetration rate for real access to the global internet is estimated to be around 5 percent, and continues to come mostly through outdated dial-up technology. There is almost no broadband service on the island, and despite the activation of the \$70 million ALBA-1 fiber-optic cable project between Cuba and Venezuela in 2013, connection speeds remain extremely slow for all but the most privileged users. Faster internet connections are available at tourist hotels and foreign embassies, which many independent journalists take advantage of, though this is technically illegal.

Recent developments have significantly expanded internet access on the island, however. In addition to activating the ALBA-1 cable, in 2013 the government opened 118 "internet salons" that provided a place for users to access the medium—though rates were set at \$4.50 an hour, prohibitively expensive in a country where the average monthly salary is \$20. In addition, users at the salons must show identification and sign a pledge not to engage in "subversive" activities online. The government prefers that internet use be conducted in public locales; home access is available to foreigners and to members of select professions who pay a premium for the privilege. But this too might be changing. In 2014 the state-owned state owned Empresa de Telecomunicaciones de Cuba (ETECSA) began providing access to email via cell phone, and activated 565,000 new mobile lines. Further, a new U.S. policy announced in December permits American telecom providers to offer equipment and services in Cuba, if the Cuban government allows freer competition and greater diversification in its telecommunications and internet services.

Despite recent developments, many users rely on black-market channels to access the internet. These include unauthorized "mesh" networks that use private Wi-Fi networks to communicate and share information, alternative methods of tweeting, and the underground distribution system of digital files known as *el paquete* (the package). There is also a small but increasingly vibrant blogging community, with more than 70 independent bloggers working in the country. In May 2014, Yoani Sánchez launched the country's first independent digital new news site—14ymedio.com—though it was blocked by the Cuban government three hours after its launch. The regime threatens anyone accessing the internet illegally with five years in prison, and the sentence for writing articles deemed "counterrevolutionary" for foreign websites is up to 20 years. However, the authorities do not have the means to engage in systematic filtering. Twitter is accessible to a small number of Cubans via mobile phones or so-called speak-to-tweet platforms, in which residents may anonymously call a phone number in the United States and leave a message that will be turned into a tweet. However, this platform costs about \$1.20 per tweet.